

REMARKS

Claims 1-41 are pending in this application. Claims 1, 11, 19, and 29 are the independent claims. Reconsideration and allowance of the present application are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-18 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmavaara et al. (US 7,359,347) in view of Pecan et al. (US 2005/0227691). This rejection is respectfully traversed.

To expedite prosecution and without conceding to the Examiner's positions Applicants have amended claim 1 to recite, inter alia, "sending, by the first network controller operating according to a first radio technology, the relay message over a tunneling medium to the second network controller operating according to the second radio technology." At least these elements are not disclosed, suggested or rendered obvious by Ahmavaara in view of Pecan.

On pages 2 and 3 of the September 16, 2010 Office Action, the Examiner alleges that Ahmavaara discloses the forming and sending step as recited by claim 1. Ahmavaara discloses a method for handing off a mobile device from an element on a first network to an element on a second network. However, in Ahmavaara a first controller must first send a relocation request **to a mobile switching center**. Then, **the mobile switching center must perform** a connection release function towards the mobile station. Then, **the mobile station must** send a routing area update request to a second a second controller.

Therefore, because the relocation request message in Ahmavaara must be sent between a first controller **to an intermediary** that converts the relocation request

message to a second radio technology, Ahmavaara cannot meet **“sending, by the first network controller operating according to a first radio technology, the relay message over a tunneling medium to the second network controller operating according to the second radio technology”** as recited in amended claim 1.

Additionally, the Examiner does not rely on, nor does Pecen teach the above mentioned elements of claim 1. Thus, Pecen fails to overcome the deficiencies as discussed above regarding the Ahmavaara and claim 1.

In view of the above, Applicants submit that no combination of the cited art teaches or renders obvious all of the elements of independent claim 1 and independent claim 1 is allowable. Additionally, Applicants submit that independent claim 11 is allowable for at least somewhat similar reasons as independent claim 1 and on its own merits. Applicants further submit that dependent claims 2-10, 12-18 and 41 are allowable at least by virtue of their dependency from allowable base claims.

Therefore, Applicants respectfully request that this art grounds of rejection be withdrawn.

Claims 19-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Guilford et al. (US 2002/0087674) in view of Chamdani et al. (US 7,194,550). This rejection is respectfully traversed.

To expedite prosecution and without conceding to the Examiner's positions Applicants have amended claim 1 to recite, inter alia, “the at least one message sent to the wireless unit includes an indicator of whether the wireless element in use by the wireless unit can relay messages to the at least one selected wireless element.” At least these limitations are not disclosed, suggested or rendered obvious in view of Guilford in view of Chamdani.

On page 4 of the September 16, 2010 Office Action the Examiner uses Guilford to meet the receiving step as recited by independent claim 19. Guilford discloses a system where a wireless device listens to a control channel for a preferred roaming provider with the strongest signal. Once the wireless device in Guilford finds the preferred roaming device with the strongest signal, the wireless device in Guilford registers with the service provider.

However, the wireless device in Guilford only receives indicators for **the signal strength of the preferred roaming provider**. Because the wireless device in Guilford receives **only signal strength indicators**, Guilford cannot meet "the at least one message sent to the wireless unit **includes an indicator of whether the wireless element in use by the wireless unit can relay messages to the at least one selected wireless element**" as recited in amended claim 19.

Additionally, the Examiner does not rely on, nor does Chamdani teach the above mentioned elements of claim 19. Thus, Chamdani fails to overcome the deficiencies as discussed above regarding the Guilford and claim 19.

In view of the above, Applicants submit that no combination of the cited art teaches or renders obvious all of the elements of independent claim 19 and independent claim 1 is allowable. Additionally, Applicants submit that independent claim 29 is allowable for at least somewhat similar reasons as independent claim 19 and on its own merits.

Applicants further submit that dependent claims 20-28 and 30-40 are allowable at least by virtue of their dependency from allowable base claims.

Therefore, Applicants respectfully request that this art grounds of rejection be withdrawn.

CONCLUSION

Accordingly, in view of the above, reconsideration of the objections and rejections and allowance of each of claims 1-41 in connection with the present application is earnestly solicited.

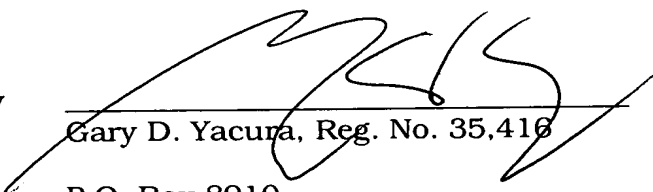
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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